

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:15-CV-075-RLV-DCK**

AMBER A. TRIPPLETT,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
NORTH CAROLINA DEPARTMENT OF)	
PUBLIC SAFETY,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on Defendant's "Motion To Compel" (Document No. 11) filed June 2, 2016. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion.

By the instant motion, Defendant asserts that Plaintiff failed to timely provide discovery responses, and requests that the Court compel Plaintiff to fully respond to its discovery requests. (Document No. 11). "Plaintiff's Response To Defendant's Motion To Compel" (Document No. 12) was filed on June 20, 2016. In response, Plaintiff contends that she has subsequently provided Defendant with responses and supplemental responses to the discovery requests. (Document No. 12). Moreover, Plaintiff explained that she will further supplement her responses to include medical records after the parties finalize a joint protective order and have it approved by the Court.

Defendant failed to file a reply brief in support of its motion, or notice of intent not to reply, as required by Local Rule 7.1 (E). After being contacted by the undersigned's staff, Defendant's counsel confirmed that most of the issues raised by the motion to compel have been resolved, with

the exception of relevant medical records. Counsel acknowledged that Plaintiff has agreed to provide relevant medical records once a protective order is entered in this case.

Based on the foregoing, the undersigned finds good cause to deny the pending motion without prejudice. If Plaintiff fails to appropriately supplement her discovery responses, Defendant may re-file a motion to compel.

IT IS, THEREFORE, ORDERED that Defendant's "Motion To Compel" (Document No. 11) is **DENIED WITHOUT PREJUDICE**.

Signed: July 1, 2016



David C. Keesler
United States Magistrate Judge 